BABCOCK ESTATE

THIS ABSTRACT MUST BE RETURNED AT ONCE
TO
JAS. A. CLAYTON & CO., INC.

ABSTRACT OF TITLE

OF PROPERTY OF

George J. Dennie (42)

Lot 2 in Block 2
Range 8 South

CITY OF SAN JOSE,
COUNTY OF SANTA CLARA
STATE OF CALIFORNIA,
As shown by the Records of said County.

Dated Sept 28 1894.

Made at the request of
Jas A Clayton & Co

SAN JOSE
Abstract, Title and Trust Co.
SUCCESSORS TO
Edwards & Pitman AND Pomeroy & Howes.
24 North Second Street,
SAN JOSE, CAL.

SAN JOSE
ABSTRACT, TITLE AND TRUST CO.

H.RAY FRY W.A.BEASLY
BEASLY & FRY
ATTORNEYS AND COUNSELLORS
SAN JOSE, CAL.

CORRECTIONS TO BE MADE BY ABSTRACT COMPANY IN

BUTTERFIELD ABSTRACT.

Page 55, L. P. Kraft cancelled a mortgage held by one Richley under a power of attorney. The Power of Attorney should be set out in the abstract to show Kraft's authority.

Pages 18,36,45 and 46, the initials of C. W. Pomeroy appear as G. W. Pomeroy. This is probably a mistake in copying and should be corrected.

Page 23. A mortgage made to Mary Tonner was satisfied by C. Burrell as executor, but his authority as executor does not appear. A note by the Abstract Company as to his appointment will be sufficient.

Page 21. A conveyance by Butler to Conley has an awkward description as follows: "Being described in map of the City of San Jose as one-half of a fifty vara lot in Block 2. Said one-half lot hereby intended to be conveyed is the corner lot commencing on Washington Square and San Antonio Street in said Block 2 and being in the North 1/2 of Lot 2, Range 8 South of the Base Line." The word "in" I think is probably not in the original conveyance. If this word be eliminated the description is a correct one, but it is somewhat indefinite as it is. Butler's title had previously passed by a tax deed, but

H.RAY FRY W.A.BEASLY
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ATTORNEYS AND COUNSELLORS
SAN JOSE, CAL.

the defect should nevertheless be corrected.

✓ Page 18. The range in the description thereon is either Range 6 or Range 8. It ought to be Range 8 and probably is so in the original conveyance. It should be made to distinctly so appear.

ABSTRACT OF TITLE.

To all that certain lot piece or parcel of land, situate lying and being in the City of San Jose, County of Santa Clara and State of California, and known upon the map or plan of the City of San Jose, as Lot number two (2) in Block number Two (2) and Range number Eight (8) South of the base line, and containing Fifty (50) yards square.

ThE Pueblo of San Jose

By John Burton

Ist. Alcade

To

George W. Harlan

Grant

Dated MAY I7,I847.

as follows:

Whereas George W. Harlan has applied to this office for lot No Two, Block No. Two, Range No. Eight South of the base line, and said lot being vacant,

This therefor is to certify that I, John Burton, first Alcade of the Pueblo de San Jose de Gde, on the part of the said pueblo, for and in consideration of the sum of what is specified by law, receipt whereof is hereby fully confessed and acknowledged, hath bargained, sold and conveyed unto the said George W. Harlan a certain message or lot of land lying in the Pueblo de San Jose de Gde, and known on the plat of said town, as lot No Two in block No Two and Range No. 8 South of the base line and containing fifty varas square.

To have and to hold the same with all the rights and privileges thereunto belonging, conditioned and provided that the said George W. Harlan will fence said lot with Red wood fence or erect a dwelling on or before the expiration of twelve months from date.

Given under my hand this seventeenth day of May A. D. Eighteen Hundred and Forty Seven, and registered same day.

(Signed) John Burton.

Recorded in Book 3 of Records. pp. I4.

2.

George W. Harlan

To

Antonio Bujain.

DEED.

Dated May 2,I848.

Cons.$45.00

Bargained sold and conveyed unto the said Antonio Bujain, his heirs and assigns a lot of messuage of land lying and being in the Pueblo de San Jose de Gde, being known on the plat pf said town as lot number 2 in block humber Two and Range No. Eight South of the base line and containing fifty varas square.

(Signed) G. W. Harlan.

left to be recorded :
:
May 2nd.I848. :
:

Chas.White

Ist.Alcade

Recorded in Book 2 of Records PP I45,

Note. There is no acknowledgement .

Antonio Bujain

TO

John Aborn

DEED

Dated Dec.,27,I848.

Cons.$75.00

Bargained sold and conveyed unto said party of the second part his heirs and assigns forever.

lot No. 2 in Block No.2 Range No. Eight South of the base line in City of San Jose, containing 50 varas square.

(Signed) A. Bujain

In presence of

K. H. Dimmick

Ackd. Dec. 27,I848.

Before K. H. Dimmick

Chief Magistrate.

Recorded in Book 4 of Records PP.I5.

John Aborn

TO

William Gilchrist.

DEED

Dated March I5,I850

Cons.$350.00

Granted sold and conveyed unto the said William Gilchriat, all the right title and interest to all that certain piece or parcel of land lying and being in the Pueble de San Jose, and known on the plat of said town as the South half of lot 2, in Block 2, and Range 8, South being 25 varas front on Washington Square and 50 varas in depth.

Signed John his X Aborn mark.

Witnesses

H. C. Malone

John Butler

Ackd. March I6,I850.

Before C. T. Ryland,N. P.

Recorded in Book of Records PP.I02.

John Aborn

TO

John Butler

DEED

Dated March I5,I850.

Cons.$650.00

Bargained sold and conveyed unto said John Butler, his heirs and assigns-All the right title and interest in and to all that certain piece or parcel of land lying and being in the Pueblo de San Jose, and known on the plat of said Town as the North half of lot No.2 in Block 2 Range 8 South of the base line.

his
(Signed) John X Aborn
mark.

Witnesses.

H. C. Melone.

William Gilchrist

Ackd. March I6,I850.

Before C. T. Ryland,N. P.

Recorded in Book 6 of Records,PP.I03.

George Montgomery

Collector of the

City of San Jose

TO

Davis Divine

DEED

Dated Nov. 26,1850.

Whereas the owners of the Real Estatehereinafter described(said owners being unknown)having failed to pay the taxes due and assessed thereon for City purposes as prescribed by law.

I ,George Montgomery, Collector as aforesaid, after having duly advertised the same according to law to be sold at public auction to the lowest bidder, before the Court House door.of the County of Santa Clara, and the City Hall Door of the City of San Jose on the 25 th. day of November in the aforesaid year,for the purpose of satisfying said taxes with ten percent damages thereon,

And whereas in pursuance of the law and advertisement, I, the said George Montgomery, Collector as aforesaid, did on the 25th. day of November ,1850, between the hours of ten of the clock of the forenoon, and four of the clock of the afternoon of said day, at the City Hall Door of the said City, publicly offer and cry said property at auction, and the said party of the second partbeing the lowest bidder thereon, and offering to pay the amount of taxes and amount of damages due on the following Real Estate (said amount being the sum of $358.30) said Real Estate being described as follows: lot No.2 in Block No. 2. and Range No. 8 South of the base line (and other property)&c

Whereupon I, the said George Montgomery, Collector as afore said, declare him the said David Divine party of the second part to be the purchaser of the estate last aforesaid.

Now this indenture witnesseth &c for and in consideration of the sum of $ 258!30 &c , have granted bargained , sold and conveyed unto said party of the second part, his heirs and assigns-

lot No.2 in Block No.2 and Range No. 8 South of the base line,

(and other property.)

Ackd. Dec. I9,I850.

Before P.O.Minor

Notary Public.

Filed 9.30 o'clock A. M. 3rd. January ,I85I.

J. T. Richardson

Redorder.

Filed for Record I0 o!clock A. M. 26-Nov.A. D. I85I

J. T. Richardson

Recorder.

Recorded May 2I,I852.

Book D Deeds PP.562.

Note-No certificate of Sale on file in Recorders Office.

Davis Devine

TO

Oliver Teall

DEED

Dated Nov.26,I85I

Cons. $5000,00

Remise, release and forever quit claim unto the said Oliver Teall his heirs and assigns-

All my interest in lots or parcels of land in the City of San Jose, described as follows

lot No. 2 in block No. 2 and Range No 8 South.(and other property)

Ackd. Nov. 26,I85I.

Before John E. Richardson

Redorder

Recorded Nov. 29,I85I.

Book D. Deeds PP.I90:

John Butler and

William Gilchrist

By T. E. SOUBIETTE

Marshall and Collector

of the City of San Jose

TO

E. P. Reed

DEED

Dated June 28 ,I856.

Cons. $98.45

That whereas by virtue of an Act of the legislature prescribing the mode of assessing and collecting revenue and &c, and by virtue of an ordinance of said City on same subject, said party of the first part for the default of the payment of the taxes on the N. I-2 of lot 2, Block 2, Range 8, South, assessed to John Butler, tax and costs$8.00 and the S.I-2 of Lot 2, Block 2, Range 8, South , assessed to William Gilchrist taxes and costs $6.50 (and other property) levy on and seize said property and did on 5th.Dec. A. D. I855, expose the same for sale etc.having first given due and legal notice thereof by posting copies of said notices in three public places in said City, and by publishing a copy thereof in English and Spanish in the San Jose Tribune, a news paper published in said City, for more than ten successive days previous to said sale, a nd at said public salethe said party party of the second part.for the sum of $90.45(being the amount of taxes and costs) did become the purchaser of the whole thereof. No person offering to pay the amount of taxes and costs due thereon for al less portion of said property,

//

Whereupon said Marshall and Collector after receiving from said purchaser said sum of money, did execute and deliver to him a'Certificate as is required by law &c. and duly recorded &c.

And whereas six calendar months having expired since said sale without any redemption having been made &c.-

Grant bargain sell and convey unto said E. P. Reed his heirs and assigns the above mentioned and described property as fully and absolutely as the Marshall and Collector aforesaid can, may., or ought to sell, convey and confirm the same.

Ackd. June 28, I856.

Before S. A. Clark

County Recorder

Recorded June 28,I856.

Book J. Deeds P.I98

Note- Certificate of sale of above property filed in Recorders Office and Recorded Dec. 29,I855.

Book J. of deeds,p.I44.

UNKNOWN OWNERS.

By Wm. Mc. Cutchan

Ex, Sheriff and Collector

TO

E. P. Reed

DEED

Dated June 27, I856

Cons. $I43.03

That whereas by virtue of an Act of legislature of said State prescribing the mode of assessing and collecting revenue &c said party of the first part did for default of the payment of State and County Taxes for the year A. D. I855 due on lot 2, Block 2, Range 8, South, in the City of San Jose (and other property, seize said property, and did on the 24th. 26th. and 27th days of December A. D. I855 expose the same for sale before the Court House Door &c. having first given due and legal notice thereof by posting copies of said notice in three public places in each Town ship of said County and one on the Court House Door and by publishing a copy thereof in English and Spanish in the San Jose Tribune, a news paper published in said County for more than ten successive days previous to said sale.

And at said public sales the said party of the second part for the sum of $I43,03 that being amount of taxes and costs due on said property, became the purchaser of the whole thereof, no person offering to pay the amount of taxes and costs due thereon foraless portion of said property.

Whereupon the Sheriff and Collector, after receiving from the purchaser said sum of money, did execute and deliver

to him a certificate as is required by law &c.

And whereas six calendar months after said sale having expired without any redemption having been made,-

Grant,bargain and sell unto the said EDWARD P. REED his heirs and assigns the above mentioned and described property as fully and absolutely as I, the said Ex. Sheriff and Collector can, may or ought to sell, convey and confirm the same.

ACKD. June 27,I856.

Before Austin M. Thompson

NOTARY PUBLIC

Recorded June 28,I856.

Book J Deeds P.2~~0~~I

NOTE:-Certificate of sale of above property filed and

RECORDED D~~e~~c.29,I855.

Book J. Deeds PP.I42.

Edward P. Reed

TO

George Warren

DEED

Dated Sept. I2, I856.

Cons. $80.00

Remise, release and quit claims unto party of the second part his heirs and assigns forever,- All that right, title and interest of party of the first part in and to

lot No. 2, Block No. 2, and Range No. 8 South of the base line in City of San Jose

Ackd.

Sept. I2, I856.

Austin M. Thompson N. P.

Recorded Sept. I2, I856.

B ook, Deeds P. 405.

George Warren and

Margaret Warren,

his wife

TO

~~G. W. Pomeroy.~~
Charles W. Pomeroy

S.J.A.Co
per F.E.B.

DEED

Dated Dec. Ist, I857.

Cons. $300.00

Remise, release and quit claim unto party of the second part, all the right, title and interest of said parties in and to lot 2, Block 2, Ra nge 8, South of the base line in the City of San Jose.

S.J.A.Co
per F.E.B.

(and other property)

ACKD, Dec. 3, I857.

Before Austin M, Thompson

County Recorder

By T. T. Grant-Deputy

Recorded Dec. 7, I86I.

Book P. Deeds P. 24.

18.

Sherman O. Houghton

James C. Cabb and

Lawrence Archer

Commissionersof the Founded Debt

of the City of San Jose

To

~~C. W. Pomeroy~~
Charles W. Pomeroy

S.J.H.C.
per F.E.B.

DEED

Dated Oct. 23,I860.

Cons. $4.00

Remise, release and quit claim unto the said party of the second part his heirs and assigns-All the rights title and interest of the said parties of the first part as said Board of Commissioners &c in and to lot 2, Block 2, Range 8 South of the base line in City of San Jose.

(and other property)

ACKD. Oct.27,I860.

Before P.O. Minor,N. P.

Sanctioned and approved by the City Government of San Jose Nov. 8, I860.

J. V. Tisdale

City Clerk

R. B. Buckner

Mayor of the City of San Jose

Recorded June 29,I86I.

Book O. Deeds PP.24.

DECLARATION OF HOMESTEAD

OF

~~C. W. Pomeroy~~
Charles W. Pomeroy

S.J.A.C.
per F.E.B.

Dated March 9,I86I.

Has made selection of and intend to claim the following property as a homestead &c.-that I reside with my family thereon and it is my intention to use the same as a Homestead,Viz:

lot 2, in Block 2, Range 8,South in the City of San Jose.

(and other property).

ACKD. March 9,I86I.

Before P. O. Minor N. P.

Recorded March I4,I86I.

Book A. Homestead PP.72.

John Butler

TO

Michael Conley

DEED

Dated Jany. 25, I864.

Cons. $350.00

Grant, bargain, sell, release, remise, and convey unto said party of the second part his heirs and assigns. All that certain piece or parcel of land, lying and being in the City of San Jose, County of Santa Clara and State of California, and being described in the map of the City of San Jose as I-2 of a 50 vara lot in Block 2. Said I-2 lot hereby intended to be conveyed id the corner lot commencing on Washington Square and San Antonio Street in said Block 2, and Being ~~xx~~ the North I-2 of lot 2, Range 8, South of the base line.

P.J.A.Co per F.E.D.

Covenant of warranty against acts of grantor and those claiming under him.

ACKD. Jany. 27, I864.

Before H. A. Scofield N.P.

San Mateo Co.

Recorded Jany. 29, I864.

Book S. Deeds PP. 64.

Michael Conley

TO

~~C. W. Pomeroy~~
Charles W. Pomeroy

S. J. H. Co
per F. E. B.

DEED

Dated Jany. 29. I864.

Cons. $225.00

Grant, bargain, sell, alien, remise. release, convey and confirm unto party of the second part, his heirs and assigns,

N. I-2 of lot 2, in Block 2, Range 8, South of the base line in City of San Jose.

Covenants against acts of Grantor.

ACKD. Jany. 29, I864.

Before Tyler Beach, N. P.

Recorded Jany 29, I864.

Book S. DEEDS, PP. 65.

Chas. W. Pomeroy

and Parmelia Pomeroy

his wife

TO

Mary Tonner

MORTGAGE

Dated May 20, 1868.

Covers property in question

To secure payment of the sum of $2500.00 in one year with interest at 1% per month, payable monthly.

Recorded June 22, 1868.

Book L. Mortgages Pp. 310.

In Margin of Record,

"Satisfied in full this 6th. day of May, 1871

C. Burrell, Executor of the

Estate of Mary Thomas, Dec.

Attest.

John R. Johnson, -Recorder.

By Henry Uhrbrock, Deputy.

Note:

On Dec 4, 1869, the last Will of Mary Thomas deed, was admitted to Probate, and Cuthbert Burrel was appointed as Executor thereof, and Dec 6, 1869 Letters Testamentary were issued to him.

S. J. R. Co
per F. E. B.

Chas. W. Pomeroy

and Pernelia Pomeroy

his wife

TO

James Whartenby

MORTGAGE

Dated May I,I87I

Covers property in question.

To secure payment of the sum of $5000.00 in two years with interest at ten percent per annum payable monthly, and if not so paid to compound. Counsel fee I0%.

Recorded May 4, I87I.

Book W. Mortgs. Pp. 4I4

For satisfaction see Page 79.

TAXES,

STATE, COUNTY and CITY paid up to and including the fiscal year I875 -76.

TAXES for I876-77. Now Due.

NO JUDGEMENT LIENS.

San Jose Dec. I5, I876.

Edgar Pomeroy

Searcher.

A.B S T R A C T

OF

Title to all that certain lot piece or parcel of land situate ,lying and being in the City of San Jose, County of Santa Clara and State of California, and known upon the Map or plan of the City of San Jose as lot Number One (I) in Block Number Two(2) and Range Number Eight(8) South of the base line, and containing Fifty (50)varas square.

Chas. White

Ist. Alcade

TO

James F. Reed.

ORIGINAl GRANT.

DATED Nov.2,I848.

Whereas James F. Reed has applied to this office for lot No. I, Block No.2,Range No. 8, South of the base line(and other lots)and being vacant,

This therefore is to certify that I, Charles White Ist. Alcade of the Pueblo de San Jose de Gde. on the part of the said Pueblo, for and in consideration of the sum of twelve dollars and fifty cents for each lot -to me in hand paid- in placer gold at the rate of sixteen dollars per ounce troy, together with the legal fees of this office by the said James F. Reed, receipt whereof is hereby fully acknowledged-

hath bargained, sold and conveyed unto the said James F. Reed and to his heirs and assigns forever,Eighty-nine lots or messuages of land lying and being in the Pueblo de San Jose de Gde, being known on the plat of said town as lot I, in Block 2, Range 8.South of the base line (and other lots) and containing in each lot 50 varas square.

To have and to hold the same with all the rights and privileges thereunto belonging to him and his heirs and assigns forever,

In witness whereof I have hereunto set my hand and seal this second day of November A. D. Eighteen hundred and forty -eight.

Chas. White

Ist. Alcade

Recorded Book 2,Records Pp.I90.

29.

James Fl Reed

TO

Robert C. Keyes.

DEED

DATED NOV. 25, I850.

Cons. $4500.00

Grants , bargaind, sells and quit claims unto party of the second part his heirs and assigns.

All the right , title and interest of first party in and to lot I, Block 2, Range 8, South of the base line in San Jose.

(and other property).

ACKD. Nov. 26, I850.

Before Frederic Hall N. P.

Recorded Nov. 26, I850.

Book D. Deeds P. I07.

J. M. Murphy

Treasurer and Collector

TO

Robert C. Keyes.

DEED

DATED Nov. 27,I850.

Cons.$400.00

Whereas the owner of the Real Estate hereinafter described (said owner being James F. Reed)having failed to pay the taxes due and assessed thereon for State and County purposes, as prescribed by law to be sold at public auction to the lowest bidder before the Court House door of said County, on the Ist. Monday of November in the afore said year for the purpose of satisfying said taxes &c.

And whereas in pursuance of the law and advertisement I, the said John M. Murphy, Treasurer and Collector as aforesaid did on the first Monday of November I850, between the hours of ten of the clock in the forenoon, and four of the clock in the afternoon of said day at the Court House door in the said County publicly offer and cry said property at auction, and the party of the second part being the lowest bidder thereon, and offering to pay the amount of taxes and damages due on the following real estate (said amount being the sum of $400.00) lot I, in Block 2, and Range 8, South of the base line.

(and other property).

Whereupon I, the said John M. Murphy, Treasurer and Collector as aforesaid, declared him the said Robert C. Keyes party of the second part to be the purchaser of the estate aforesaid.

Now &c grant, bargain, sell and convey unto the said party of the second part his heirs and assigns forever. All those certain parcels or pieces of land &c being lot I,, in Block 2, Range 8 South of the base line,(and other property).

(Signed) John M. Murphy (seal)
County Treasurer.

ACKD. April I6,I85I.
(not as Treasurer and Collector)
Before William D. Smith
Notary Public.

Recorded Nov. I2, I85I.
Book D. Deeds Pp.206.

Robert C. Keyes

and Elizabeth Mary

his wife

TO

Margaret W.Reed

DEED

DATED Nov.I5, I85I.

Cons. Love and Affection and $5.00

Give grant and convey unto the said Margaret W. Reed and to her own exclusive use behoof and benefit-All the right, title, interest, estate claim and demand in , to and upon the following lots or parcels of land, lying and being in the County and State aforesaid and purchased by the said Robert C. Keyes at a public sale &c, which said lots are known and designated on the plan or map of the City of San Jose, as lot No. I, in Block 2, Range 8, South of the base line.

(and other property).

ACKD. Nov.I5, I85I.

Before Frederic Hall,N.P.

RECORDED Nov.I7,I85I.

Book D. Deeds P. 242.

Robert C. Keyes and

Elizabeth M. Keyes

his wife

TO

Margaret W.Reed

DEED

DATED Jany. I7, I852.

For and in consideration of the natural love and affection which they , the said Robert C. Keyes and Elizabeth M. Keyes have and bear unto the said Margaret W. Reed- sister of the said Robert C. Keyes as also for the better maintenance , support and livelihood of her, the said Margaret W. Reed.

Gives grants and confirms unto said Margaret W. Reed her heirs and assigns-All the right title, and interest of parties of the first part in and to lot I, Block 2, Range 8, South in the City of San Jose (and other property.)

ACKD. Jany. 7, I852.

Before Frederic Hall N. P.

Recorded March 22, I852.

Book D. Deeds P. 446.

Joseph W. Johnson

Sheriff

TO

John M. Murphy

DEED

DATED July 29, I852.

That whereas Judgment was rendered in the District Court of the Fourth Judicial District in and for the City and County of San Francisco, on the 24th. day of November A. D. I85I, against James F. Reed and others, in favor of Josiah C. Woods for the sum of $3293.33 with 5 percent per month interest thereon until paid, and for $349.50 costs of suit, docketed &c. November 24, I85I. And whereas Execution was issued on said Judgment &c, dated 22nd. June I852 and to me directed &c to levy and cause to be made by distress and sale the said sums &c and all costs that may accrue. That said Execution was placed in my hands June 23-I852 &c, and did levy or take and seize all the estate, right , title and interest of James F. Reed, one of the said defendants in and to lot I, Block 2, Range 8, South in City of San Jose (and other property). And did on 29th. July I852 sell the said Real Estate and premises at public auction at Court House door in the City of San Jose in said County, having first given notice of the time and place of sale by advertising the same according to law, at which sale all of the foregoing property was struck off and sold to John M. Murphy he being the highest bidder for the sum of Seven hundred and fifty dollard.

Now &c grant, bargain, sell and convey unto the said John M. Murphy, his heirs and assigns, all the estate, right, title and interest of the said James F. Reed of, in and to the before mentioned and described real estate and premises.

ACKD. Feby. 2, I854.

Before John B. Hanson

County Clerk.

Recorded Feby. II, I854.

Book J. Ddeds P. 4.

John M. Murphy

TO

George Warren

DEED

Dated July I6,I854.

Cons. $I50.00

Grants, bargains and quit claims unto party of the second part his heirs and assigns.

lot I, Block 2, Range 8. South of the base line in City of San Jose.

ACKD. July I8, I85$\frac{4}{4}$.

Before S. A. Clark,Recorder.

By F. lewis,Deputy.

Recorded July I8, I854.

Book H. Deeds P. 56I.

George Warren and

Margaret Warren

his wife

TO

~~C. W. Pomeroy~~.
Charles W. Pomeroy

S.J.A.C.
per F.E.B

DEED.

DATED Dec.I,I857.

Cons. $300.00

Remise, release and quit claim unto

party of the second part, his heirs and assigns-All the right, title and interest of the parties of the first part in and to lot I, Block 2, Range 8, South, in City of San Jose.

(and other property),

ACKD. Dec. 3, I857.

Before Austin M. Thompson

Recorder.

By T. F. Grant

Deputy.

Recorded Dec.7,I86I.

Book P. Deeds P. 24.

36

Sherman O. Houghton

James C. Cabb and

lawrence Archer

Commissioners of the Founded Debt

of the City of San Jose

TO

~~S. W. Pomeroy~~

Charles M. Pomeroy

S. J. R. C.
per F. E. B.

DEED

DATED Oct. 23,I860.

Cons.$4.00

Remise, release and quit claim unto the said party of the second part his heirs and assigns.-All the right, title and interest of the said parties of the first part as said Board of Commissioners, acquired by them through or under a certain deed of conveyance from the City of San Jose, bearing date August 4, I858 and recorede &c in Book K, Deeds P.672 et seq. in and to lot I, in Block 2, Range 8, South in City of San Jose.

(and other property).

ACKD. Oct. 27,I860.

Before Peter O. Minor N.P.

Sanctioned and approved by the City Government of the City of San Jose, Nov.8,I860.

J. V. Tisdale,City Clerk.

R. B. BUCKNER

MAYOR of the City of San Jose.

RECORDED Jany 29,I86I.

BOOK O. DEEDS P. 24.

James F. Reed and

Margaret W. Reed

his wife

TO ~~C. W. Pomeroy~~ Charles W. Pomeroy

S.J.R.Co
for F.L.B.

DEED.

DATED Jany. 28,I86I.

Cons .$I00.00

Remise, release and quit claim unto party of the second part his heirs and assigns-All the right, title and interest of parties of the first part in and to lot I, Block 2, Range 8, South in the City of San Jose.

ACKD. Feb.I,I86I.

Before Thos. Bodley N. P.

Recorded Dec .7,I86I.

Book P. DEEDS P. 33.

DECLARATION. OF

HOMESTEAD

OF

~~C. W. POMEROY:~~

Charles N Pomeroy

J J H & B
per F S B.

DATED MAR. 9, I86I.

Covers

lot I, Block 2, Range 8, South in City of San Jose.

ACKD. Mar. 9, I86I.

Before P. O. Minor, N. P.

RECORDED Mar. I4, I86I.

Book A. Homestead P. 72.

Charles W. Pomeroy

and Permelia Pomeroy

his wife

TO

Mary Tonner

MORTGAGE.

DATED May 20,I868.

To secure payment of $2500.00 in one year.

Covers premises in question,(and other property.)

Recorded June 22, I868.

Book 2 Mortgs. P. 3I0.

Canceled in Margin May 6, I87I.

(Signed) C. Burrel, Executor of the

Estate of Mary Thomas,deceased.

For note of appointment of Executor see page 23 of Abstract

Charles W. Pomeroy

and Pernelia Pomeroy

his wife.

TO

James Whartenby

MORTGAGE.

DATED May I, I87I.

To secure payment of $5000.00 in two years with interest at I0% per annum, payable monthly.

Covers premises in question and other property.

ACKD. May I, I87I.

Before James R. Lowe Jr. N. P.

Recorded May 4, I87I.

Book W. Mortgages P.4I4.

For satisfaction see Page 79.

T A X E S .

Paid up to and including fiscal year A. D. I875-76.

Taxes for I876-77 now due.

NO JUDGMENTS.

San Joae, Dec. I5th. I876.

Edgar Pomeroy

Searcher.

Continued as to lots I and 2, Block 2, Range 8, South of the base line, City of San Jose.

From Dec. I5th.I876.

The following entry appears on Margin of Record of Mortgage from Charles W.W. Pomeroy and Wife to James Whartenby, dated May Ist,I87I and Recorded in Liber W. of Mortgages P.4I4.

"Satisfied in full this 5th day of May I877.

James Whartenby."

Attest

W.B. HARDY,RECORDER.

A. S. WIllIAMS,DEPUTY.

Charles W. Pomeroy

and Pernelia Pomeroy

his wife

TO

James Whartenby.

MORTGAGE.

DATED. April 2, I877.

To secure payment of $5000.00

Mortgages lots I and 2 (and other property) in Block 2 of Range 8 South of the base line. City of San Jose.

Recorded April II, I877.

liber 24 of Mortgages P.595.

The foregoing mortgage was fully satisfied and discharged by written release dated Dec.8,I880, signed and ACKGD. by James Whartenby.

Recorded Dec.I6,I880.

liber E. of Releases P. 22.

DECLARATION OF HOMESTEAD

OF

~~C. W. POMEROY.~~
C. W. Pomeroy

S. J. H. C.
per F. E. D.

DATED July 8, I880.

Do hereby certify and declare that I am married and have a living wife named Mary Pomeroy, that I also have living with me in one family, and dependent upon me for support my said wife and her father ,John Valentine, also two of my grand children namely C. E. Pomeroy and Clottie P. Pomeroy, both minors, that I , with my said wife and family, do now at this time of making this declaration reside upon the following described tract, lots or parcel of land, situate in the City of San Jose &c. and described as lots numbered I-2-3 and 4 in Block 2, Range 8, South of the base line in said City of San Jose, and that I do now occupy said premises as a home stead.

That the actual cash value of said premises is the sum of $I0000.00--

That said premises are now under snd subject to the lien of a mortgage in the sum of $5000.00. That I do hereby select and claim said herein described parcel of land &c. as a home stead.

(Signed) Charles W. Pomeroy. (seal.)

ACKGD. July 8, I880.

Before J. E. Brown N.P.

Recorded July 8, I880.

liber D. of Homestead, P. 50I.

45

~~CHAS. W. POMEROY~~
Charles W. Pomeroy
And MARY POMEROY.

TO

STElla BABCOCK.

DEED.

DATED SEPTEMBER 29,I880.

Cons. $I0400.00

Does grant, bargain and sell, convey and confirm unto the said party of the second part, and to her heirs and assigns forever-All that certain piece or parcel of land lying and being in the City of San Jose &c.bounded and described as follows, to wit:-

lots number One (I) and two (2) Block Two (2) of Range Eight (8) South of the base line, as known and described upon the map of said City of San Jose.

(Signed)Charles W. Pomeroy.(seal)

Mary Pomeroy (seal.)

ACKGD. by C. W .POMeroy and MARY POMEROY his wife, Sept. 29, I880.

Before Wm. B.Covel

Notary Public.

RECORDED Oct. Ist.,I880.

liber 57 of DEEDS P. I63.

46

Albert S. Babcock

and Stella A. Babcock

his wife.

TO

THE BANK OF SAN JOSE.

A corporation.

M O R T G A G E .

DATED Oct I, I880.

To secure $2000.00 Mortgages lots I and 2 in Block 2 of Range 8, South of the base line. City of San Jose.

Recorded Dec. 9, I880.

liber 4I of Mortgages P.4.

Marginal entry of "Satisfied in full this 26 day of October I88I.

C. T. PARK, Cashier."

Attest

H. W. Stephens, Recorder

By Franz M. Goldstein, Deputy.

DECLARATION OF HOMESTEAD

OF

STELLA A. BABCOCK

DATED OCT. 5th. ,I880.

Do hereby certify and declare that I am a married woman and have a husband living whose name is Albert S. Babcock and that wh have three minor children issue of said marriage , namely Elena M., Albert M. ,and Stella J. Babcock. That I together with my said husband and said minor children do now at the time of the making of this declaration reside in one family upon the tract of land and premises hereinafter described , and am in the actual occupation of the same and the dwelling house and other buildings situate thereon as a Homestead. That my said husband Albert S. Babcock has not made any selection of declaration of Homestead whatsoever, and that I do therefore make this selection and claim said hereinafter described premises as a Homestead for the joint benefit of myself and said husband. That the following is a full and true description of the premises so selected and hereby claimed as a homestead to wit: All those certain lots, pieces or parcels of land situate lying and being in the City of San Jose &c.

Known and designated upon the map or plan of the City of San Jose as lots numbered (I) and Two(2) in Block 2 , Range Eight (8) South of the base line.

That I estimate the value of said premises at the sum of $7000.00 . That the same is now under the lien of a Mottgage to the amount of $2000.00

(Signed) Stella A.Babcock. (seal).

ACKGD. Oct. 5th.I880.

Before Wm. B. Covel, N. P.

RECORDED Oct. 5th.,I880

liber D. of Homestead P.530.

STEllA A. BABCOCK

AND AlBERT S. BABCOCK-her husband.

TO

GEORGE BUll.

MORTGAGE

DATED- APRIL Ist. I88I.

To secure payment of two certain promissory notes,- one for $2000.00 payable six months after date Int at 9% per annum, interest payable quarterly and if not so paid to be added to and become part of the principal and bear there after the same rate of interest,-and one of $2500.00 payable one year after date. Ints. and payments made same as in first note.

Mortgages 1 ots I and 2 in Block 2, Range 8, South of the base line. City of San Jose.

(Signed) Stella A. Babcock.

Albert S. Babcock.

ACKGD. April Ist.,I88I.

Before Wm. B. Covel, N. P.

RECORDED April 2, I88I.

liber 4I Of Mortgages P. 5I5.

The foregoing mortgage was cancelled in full in Margin of Record by George Bull Dec. I8, I882.

30.

T A X E S .

STATE COUNTY AND CITY.

I876 & I877		PAID.
I877& 78		PAID.
I878 & 79		PAID.
I879 & 80		PAID.
I880 & 8I		PAID.
I88I & 82		PAID.
I882 & 83	Now assessed and a lien.	

NO JUDGMENT LIENS.

San Jose, Cal.

Sept. 26th. I882 at 9:30 A. M.

THOMAS H. CORDELL.

SEARCHER OF RECORDS.

C O N T I N U A T I O N

O F T H E

F O R E G O I N G A B S T R A C T.

Stella A. Babcock

and A. S. Babcock.

her husband.

TO

James Bean

MORTGAGE.

DATED Oct. 27, I882.

Given to secure the payment of $2000.00

Mortgages lots I and 2 Block 2, Range 8, South of the base line.

Recorded Oct. 3I, I882.

liber 49, Mortgages P. 57.

Assigned to Lena H. Krafft by Instrument of Assignment, dated Jan. 9, I883, duly signed and acknowledged by James Beam, and Recorded in liber B. Assignment of Mortgages. P. 585.

Assignment to Frederick E. Keffel by Instrument of Assignment dated July 3I, I886, duly signed by lena H. Krafft and acknowledged July 3I, I886, by lena H. Krafft, wife of louis P. Krafft, before Karl Klein N. P. and recorded in liber C. Assignment of Mortgages P. 505.

Cancelled on Margin of Record July 30, I887 by Fred Edward Keffel. Attested by County Recorder.

STELLA A. BABCOCK

AND A. S. BABCOCK

HER HUSBAND

TO

LENA H. KRAFFT.

MORTGAGE.

DATED July 31. 1883.

Given to secure the payment of a certain promissory note of even date herewith for $1500.00 payable 2 years after date with interest at 8 1-2 % per annum ,payable semi- annually.

Mortgages-All that certain piece and parcel of land situate in the City of San Jose , County of Santa Clara, State of California, bounded and described as follows,to wit:

Being lots 1 and 2 in Block 2, Range 8, South of the Base line, in the said City of San Jose, said 2 lots contain 100 varas of land and are known on a Map or plan of s said City of San Jose by their numbers.

(Signed). Stella A. Babcock---

Albert S. Babcock---

Witness, John Bell.

ACKGD. July 31. 1883.

by A. S. Babcock and Stella A . Babcock-his wife.

Before John Bell, N. P.

54.

RECORDED. AUG. 3, I883.

liber "50" Mortgages P.500.

Assigned to Frederick E. Keffel by Instrument of Assignment dated July 3I,I886 signed by lena H. Krafft and

ACKGD. July 3I, I886.

by lena H. Krafft, wife of

louis P. Krafft

Before Karl Klein N. P..

RECORDED July 3I, I886.

liber" C " Assignment of Mortgages P. 505.

Assigned to James H. Ritchey by assignment dated Dec 5, I888 duly executed and ACKGD. by Frederick E. Keffel and recorded Dec 6, I888 in

liber D. Assignment of Mortgages P. 546.

L. J. A Co for F. C. B.

Cancelled on the Margin of the Record Feb. 28, 89, by James H. Ritchey ~~lewis~~ Louis P. Krafft, his Atty. in fact.

Attest. County Recorder.

Power of Attorney from James H. Ritchey to louis P. Krafft.

RECORDED Feb. 28, I889.

In liber D. Powers of Atty. P. 539.

55

James H.Ritchey

TO

Louis P.Krafft

POWER OF ATTORNEY.

Dated February 26,1889.

To collect, either with or without legal process, all sums of money that may be due and owing to me, and to receipt therefor in my name; to assign and transfer any notes and mortgages that have been made or assigned to me, and to execute and acknowledge proper assignments in writing thereof, and to acknowledge satisfaction of mortgages of record or execute releases for the same on real estate situate in the County of Santa Clara,State of California.

Giving and granting unto my said Attorney full power and authority to do and perform any and all acts necessary and proper to be done in the premises, as full as I might or could do if personally present, hereby ratifying and confirming all that my said attorney shall lawfully do or cause to be done by virtue of the___ presents.

Acknd. February 26,1889.

By James H.Richey,

Before F.O.Robbins, N.P. in and for the County of San Luis Obispo, State of California

Recorded February 28,1889.

Liber D of Powers of Attorney, Page 539.

The United States of America

TO

The Mayor and Common Council

Of the City of San Jose.

P A T E N T

DATED June 4th., I884.

Do give and grant unto the said Mayor and Common Council of the City of San Jose, their successors and assigns, the trust of land, embraced and described in the foregoing survey,(embracing within its exterior boundaries, the City of San Jose).

TO HAVE AND TO HOlD &c.

(Signed) By the President.

Chester A. Arthur.

By William H. Crook,

Secretary.

Recorded in Vol. I2, Pages 34I to 426, inclusive.

W. S. Clark, Recorder of the General Land Office.

Recorded July II, I884.

liber D. of Patents, Page I2.

Records of Santa Clara County, California.

Stella A. Babcock

in her won right and

Albert S. Babcock

her husband

TO

lena M. Babcock

A femine sole.

DEED

DATED July 28. I887.

Cons. $I0500.00

Grant, bargain and sell, convey and confirm unto second party and to her heirs and assigns forever,-All those certain lots, pieces or parcels of land situate lying and being in the said County of Santa Clara, State of California and bounded and particularly described as follows,to Wit:- lot No.I and 2 of Block 2 of Range 8, South of the base line, as known and described upon the Recorded Map of the City of San Jose in said County.

(Signed) Stella A. Babcock.(seal)

Albert S. Babcock (seal.)

ACKGD. July 29,I887.

By Albert S. Babcock and Stella A. Babcock, his wife.

Before Wm. B. Covel N. P.

RECORDED July 29,I887.

lider "9I" DEEDS P. 628.

lena M. Babcock

femine sole

TO

Albert S. Babcock.

DEED.

DATED July 30, I887.

Cons.$I0500.00

Grant, bargain, sell convey and confirm unto second party and to his heirs and assigns forever.-All those certain lots, pieces or parcels of land situate, lying and being in the City of San Jose, County of Santa Clara,State of California, and bounded and particularly described as follows,to wit:

lots I and 2 in Block 2, Rznge 8, South of the base line as known and described upon the Recorded Map of the said City of San Jose, in said County.

(Signed) lena M. Babcock (Seal)

ACKGD. July 30. I887.

by lena M. Babcock, a femine sole.

Before Wm. B. Covel, N. P.

RECORDED Aug. I6,I887.

Liber "93" Deeds P. 92.

58

SUPERIOR COURT

OF THE

COUNTY OF SANTA CLARA.

In the matter of the Estate

and guardianship

OF

Stella J. Babcock

and Roy E. Babcock

Minors.

Reg. F. Page 87, Estate No. 2046

1887 Sept 23 : Petition of Stella A. Babcock for appointment of Guardian filed.

SHOWS:

That she is the mother of Stella J.Babcock and Roy E. Babcock minor children of Albert S. Babcock, deceased. That said minors have no Guardian legally appointed by will, and are residents of San Jose, Santa Clara County, and have estate therein, which needs the care and attention of some fit and proper persons.

That said estate consists of an interest--

I887

Sept. 23. undivided in a house and lot in San Jose, Cala., and of an interest in one policy of insurance to wit: In Poilcy No. I9068 in the Aetna life Insurance Co. of Hartford Connecticut, for $2000.00 their interest therein being one-third of the money due i n said Policy of Insurance. That therefore it is necessary and convenient thataa Guardian be appointed to the persons and estates of said minors.

That said Stella J. Babcock is of the age of sixteen yeard last November past. That said Roy E. Babcock is of the age of four years last November past, and said minors are at present under the care of petition their mother. That the only relatives of the said minors residing in said County of Santa Clara are petitioner and Nettie J. Cross and l. M. Babcock, sisters, and Albert M. Babcock, a brother all of full age.

Wherefore petitioner prays that your Honor appoint her or some other fit and proper persom as Guardian of the persons and estates of said minors .

I887 and that your Honor cause such notice to be given to the

Sept. 23 said brother and sisters of said minors as your Honor shall on due inquiry deem reasonable, and petitioner will ever pray &c.

Dated Sept.23,I887.

(Signed) Stella A. Babcock.

Oredr directing personal notice of the Application of Stella A. Babcock for appointment of Guardian &c. to be given to Nettie J. Cross, lena M. Babcock, and Albert M. Babcock by citation at least five days before Sept. 30, I887 requiring said parties to appear before the Judge of the Superior Court Room at the Court House in the City of San Jose in said County on Sept. 30,I887, then and there to show cause if any they have why the said Stella A. Babcock should not be appointed the Guardian of the persons and estate of said minors made entered and filed

Pro. Rec.30,P.97

Citation issued.

"30 Citation returned with service of same admitted Sept. 23,I887, by Albert M. Bzbcock, Stella J. Babcock, Lena M. Babcock and Nettie J1 Cross and filed.

" " Order appointing Stella A. Babcock Guardian of the Persons and Estates of said minors and directing Letters of

I887 Guardianship to issue to her upon her giving a bond to
Sept.23. each of said minors in the sum of $500.00 and upon taking and subscribing an oath as required by law, made, entered and filed.

Pro. Rec. 30 P. I30.

" 30 Bond of Guardian given to Stella J. Babcock minor, upon qualifying and approved, recorded and filed ,

Book E. of Bonds P. 245

" 30 Bond of Guardian given to Roy E. Babcock minor upon qualifying, approved, recorede and filed.

Book E. of Bonds P. 243.

"30 Letters of Guardianship (with oath annexed) issued to Stella A. Babcock, Recorded and filed.

Book D. of letters P. 379.

SUPERIOR COURT, County of Santa Clara,

STATE OF CALIFORNIA.

In the matter of

the estate of

Albert S. Babcock

Deceased.

Reg.T. Page 92.

Estate No. 2052.

1887 Will filed as follows:

Sept.30. I, Albert S. Babcock of the City of San Jose, County of Santa Clara, State of California of the age of 57 years, being of sound mind and disposing memory though feeble in health do, make, publish and declare this to be my last Will and Testament hereby revoking all formenr wills by me made.

I hereby nominate and appoint my wife, Stella A. Babcock, sole Executrix of this , my last Will and Testament to serve without giving bonds.

I give devise and bequeath to my said wife, Stella A. Babcock, all the property of which I may die seized of what kind or nature soever , wheresoever situated with full power and authority to sell and convey the same, to collect use , loan or otherwise employ the means received from such sales, and do all other lawfulacts and things in the management and preservation of said estate as fully and completely as I--

1887 might or could do if alive and personally present in trust
Sept. 30 nevertheless for the uses and purposes following, to'wit:
She, the said Stella A. Babcock shall have all the earnings
rents and profits arising from said estate so long as she
remains my widow and provides a home, maintenance, and
education for our Son Roy E. Babcock until the said Roy is
21 years of age or should sooner die, at which time the said
estate shall be divided by my said Executrix, she to retain
one half thereof as her own forever and the balance
remaining between our children , their heirs and assigns,
share and share alike.

In case of the marriage or death of----

1887

Sept. 30. my said Executrix before the administration and division of said estate, all the powers hereby conferred upon her shall revert to and be performed by an administrator de bonis, now to be appointed by the Court he to give bonds in the usual form and amount.

In witness whereof I have hereunto set my hand and seal this 9th. day of August 1887.

Albert S.Babcock (Seal.)

Witnesses

Emma S. Williams San Jose

F. D. Hatman. San Jose,Cala.

petition of Stella A. Babcock for probate of will filed, shows: That Albert S.Babcock died on or about Sept.11,'87 at the City of San Jose, County of Santa Clara, being at the time of his death a resident thereof and leaving estate consisting of real personal property to wit: lots 1 and 2 Block 2, Range 8, South of the base line of the City of San Jose, Santa Clara County and---

bounded on the west by Seventh Street, on the North by San Antonio Street, on the East by Eighth Street, and on the South by land of C. W. Pomeroy.

The same being the premises occupied by the said Babcock at the time of hid decease , as his residence. Also household furniture, and one horse carriage.

There is at present no revenue from s aid real property, the same being used as a home for the family of the said deceased, but the rental value thereof is about $450.00 per annum if the same were rented.

That said real estate is incumbered by mortgage ~~is~~ given to secure $I500.00 and interest.

That the estate and effects does not exceed the sum of $I2000.00.

That said deceased left a will bearing date the 9th. day of August I887 in the possession of petitioner which she believes to be the last will and testament of said deceased and which is herewith presented to said Superior Court,

That petr. Stella A. Babcock is named---

in said will as executrix thereof, and petr. widow aged about 5I years residing at San Jose, Cal. and all of the children of said deceased are named therein as devisees.

That the subscribing witnesses to the said will are Emma S. Williams and T. D. Hatman both residing in the City of San Jose, County of Santa Clara.

That the next of kin and heirs at law of said testator, and the names ages and residences of said heirs are as follows:

Stella A. Babcock, widow, aged 5I years, San Jose, Cala.

lillie V. Smith, daughter, aged 28, years Sycamore Ill.

Nettie J. Cross, daughter, aged 26 years, San Jose, Cala.

Lena M. Babcock, daughter, aged 24 years, San Jose, Cal.

Albert M. Babcock, son, aged 2I years, San Jose, Cal.

Stella J. Babcock, daughter, aged I6 years, San Jose, Cala.

Roy E. Babcock, aged 4 years, San Jose, Cala.

That at the time said will was executed the said testator was of the age of 57 years or thereabouts, and was of sound and disposing mind and not acting under duress, menace, fraud or undue influence, and was in every respect competent by last will to dispose of all his estate.

That said will is in writing signed by the said testator and attested by said subjoined witnesses at the request of said testator subscribing their names to the said will in the presence of the said testator and in the presence of each other.

And that as Petitioner is advised and therefore alleges said witnesses at the time of attesting the execution of said will, were and are now competent.

Wherefore Petitioner prays that the said will may be admitted to probate and that letters Testamentary be issued to her and that for that purpose a time for proving said will be appointed and all persons interested, notified and directed to appear at the time appointed for proving the same, and subpoenas---

be directed to be issued to the said subjoined witnesses to the said will residing in said County, and that all other necessary and proper orders may be made in the premises and petitioner will ever pray &c.

Dated Sept. 30th., 1887.

(Signed) Stella A. Babcock.

Crandall and Biddle-Atty's for Petr.

Sept. 30. Order appointing Friday Oct. 21, 1887, day for proving said will and hearing said application for letters testamentary thereon and directing the Clerk to give notice thereof by publication not less than ten days before said 21st. day of Oct. 1887, in the San Jose Daily Mercury, and that copies of said notice of the time appointed &c. be addressed to the heirs of the said testator, resident in this state at their respective places of residence as set forth in said petition and deposited in the U. S. P. O. at the City of San Jose, County of Santa Clara, with the postage thereon fully prepaid at least ten days before the said date---

of hearing said petition , made entered and filed. Pro. Rec. 30, P. I32.

Oct. 8 Affidavit of O. E. Wilcox that on Oct. 8, I887 he deposited in the U. S. P. O. in the City of San Jose, County of Santa Clara a true copy of the notice of time and place appointed for proving said will and hearing said application for letters testamentary thereon, enclosed in an envelope with the proper and necessary postage prepaid thereon and addressed to each of the following named persons, to wit:
Stella A, Babcock, Nettie J. Cross, Lena M. Babcock, Albert M. Babcock, Stella J. Babcock and Roy E. Babcock at their respective places of residence as set forth in the petition for the probate of the will of said deceased. And to lillie V. Smith, Sycamore Ill. fildd.

Oct. 2I. Affidavits of Henry J. Alexander principal clerk of the San Jose Mercury Printing and Publishing Company, the printers of the San Jose Daily Mercury of publication of Notice of time and place appointed for proving said Will, and hearing said application for letters testamentary thereon in said news paper for thirteen successive days, from Oct. 9, I887, to October 2I, I887, both days inclusive filed.

Oct. 2I. Testimony on Probate of Will filed.

" " Certificate of Proof of Will filed.

" " Order admitting will to probate and appointing Stella A.

--Babcock Executrix thereof without bonds and directing that letters Testamentary issue to her upon her taking the oath as required by law, made entered and filed.

Pro. Rec. 30 Page 226.

Oct.2I. letters Testamentary (with oath annexed) issued to Stella A. Babcock, recordd and filed,

Book D. of letters P. 395.

" " Will, proof and Certificate of Proof recorded in Book F. of Wills page 52I and following.

Oct. 26. Order appointing D. J. Porter, 1. T. Chipman and G. E. Mc. Dougall appraisers made entered and filed.

Pro. Rec. 30 P. 252.

"31 Inventory and appraisment filed.

Personal propwrty appraised at $383.50.

Real Estate.

lots I and 2 Block 2, Range 8, South in San Jose, Cala., being between 7th. and 8th. Streets and South of San Antonio.

Appraise at	$9000.00
Improvements on same	I250.00
Total	I0633.50

The whole of the estate mentioned in the foregoing inventory is the separate property of said deceased, as fas as can be ascertained from said Executrix,(duly verified.)

Nov. 7. Order of publication of notice to creditors in the "San Jo se Mercury" at least once a week for four weeks made entered and filed.

Pro. Rec. 30 P. 306.

"19 Petition of Stella A. Babcock Executor for an order setting apart personal property for use of family and for family allowance filed.

Nov. 19. Order setting apart personal property for use of family and making a family allowance of $50.00 per month made entered and filed.

Pro. Rec. 30 P. 344.

Dec. 12 Affudavit of Henry J. Alexander principal clerk of the San Jose Mercury Printing and Publishing Company, the printers of the San Jose Daily Mercury, of publicatmon of Notice to Creditors in said news paper for four successive weeks from November 8, 1887 to December 7 1887, both days inclusive filed.

T A X E S .

STATE AND COUNTY AND CITY.

I882-83	:	
	:	
To	:	PAID.
	:	
I887-88	:	
	:	

I888-89 Now due and payable.

No Judgment liens.

San Jose, December 3, I888. 9A. M.

EDWARDS AND PITMAN

Searchers of Records

C O N T I N U A T I O N

O F

T H E F O R E G O I N G A B S T R A C T.

Stella A. Babcock
devisee in trust of all
the real estate and personal
of Albert S. Babcock, deceased
TO
JOHN M. HARKINS.

DEED

DATED December I5, I888.

Cons. $I875.

Recites: That said Albert S. Babcock in and by his last Will and Testament, which said last will and testament was heretofore to wit, on the 2Ist. day of October I887, duly admitted to probate in the Superior Court of and for the County of Santa Clara, and is duly recorded in Book F. of Wills on page 52I reference being thereunto had, did give, devise and bequeath to Stella A. Babcock the above named first party all the property and estate, real and personal of him, the said Albert S. Babcock in trust for the purposes in said last will expressed with full power and authority to her, the said devisee to sell and convey the same and to collect, use or loan or otherwise.--

employ the means received from such sales.

Now &c. does grant bargain sell and convey unto the second party, his heirs and assigns forever, all that tract of land in the City of San Jose, County of Santa Clara, and bou -nded as follows:

Beginning at the intersection of the South line of San A Antonio Street, with the East line of South Seventh Street, t thence Easterly along said line of San Antonio Street I37 I-2 feet, to the line between lots I and 2, in Block 2, Range 8, South, thence Southerly along said line between lots I and 2, 45 feet to appoint , thence westerly and parallel with the South line of San Antonio Street I37 I-2 feet to the East line of South Seventh Street, and thence northerly along the East line of South Seventh Street 45 feet to the place of beginning, be the same more or less.

The same being a portion of the North half of said lot 2,

Together with all and singular the hereditaments and appurtenances thereunto belonging , and also all the right title and estate which the said Albert S. Babcock had in his life time , and at the time of his death in said premises, of which the estate of said testator---

may have acquired by operation of law or otherwise since his decease and which the first party has therein by virtue of said last will and Testament or otherwise, of, in and to the same, and every part thereof.

Together with privileges of taking water out of an Artesian well, situate on the premises of the first party adjoining the premises hereby conveyed by means of an under ground pipe, not to exceed two inches in diameter placed at least two feet underground and at such place as first party may designate, but this privilege is granted on condition that the second party pay and bear one half of the expenses to keep said well in repair.

The water so taken to be used only by second party for household purposes on said premises hereby conveyed

(Signed) Stella A. Babcock (seal)

Devisee of the estate of Albert S. Babcock deceased.

ACKGD, December 15, 1888.

By Stella A, Babcock, divisee of the Estate of Albert S. Babcock, deceased (a widow)

Before W. A. Parkhurst N. P.

Recorded December 21, 1888.

liber 110, Deeds P. 335

Note: Grantees' interest not searched.

In the matter of :
the Estate of : Reg.T. P.93
Albert S. Babcock : Estate No. 2052
Deceased. :

CONTINUATION OF PROCEEDINGS.

I888

Dec.I5 Report and Final Account of Stella A. Babcock, Executrix
filed. &c. Report

SHOWS:

That the will of said Testator was admitted to Probate in and by this Court October 2I, I887, and letters Testamentary were on that day issued to her.

That on November 8, I887, she caused a notice to Creditors to be published in the San Jose Mercury, a news paper published i n said County of Santa Clara.

That within ten months after the publication of said notice several small claims (aggregating $I87.I0) against said Estate were presented to her with satisfactory vouchers and by her allowed and paid as set forth in her account herewith presented.

That in and by the will of said testator she was authorized to sell any of the real estate belonging to said estate and that she did on December I4, I887, in pursuance of said authority sell and convey to John Harkins of Santa Clara Co. for $I875 a part of the North half of lot , Block 2, Range 8, South, in the City of San Jose, the same being bounded on the North by San Antonio Street I37 I-2 feet, on the East by the East line of said lot 2, 45 feet, on the South by a line parallel with and 45 feet South from thw South line of San Antonio Street I37 I-2 feet and on the West by the East line of South Seventh Street 45 feet.

That all the rest of said lot 2 and lot I, in Block 2, Range 8 South, aforesaid is still unsold and on which there is a mortgage of $I500.

That on November I9, an order was made setting apart to the use of the family of said testator the house hold furniture and also directing an allowance to said family of---

$50 per month, but that no part of said allowance has been paid except by the use of the real estate as a home for said family, the rental value of which will not exceed $50 per month, the said family being willing to accept the use of said premises in lieu of the allowance so made.

That as will be seen by said account said Executrix has now in her hands the sum of $904.01, after paying all expenses of admn. already accrued and all debts against said estate.

Prays that a day be appointed for the settlement of said account and that said account be finally settled and allowed, and she discharged and the property distributed.

Dated December 14, 1888.

Stella A. Babcock

Executrix .

1888

Dec. 15 Vouchers filed.

I888

Dec.I5. Petition of Stella A. Babcock, Executrix for distribution of Estate filed:-

Shows (previous proceedings)

That on December -I888,petitioner filed her final account as such Executrix, which account is now ready for settlement.

That all the debts of said deceased and of said estate and all the expenses of the admn. thereof this far incurred, and all taxes that have attached to or accrued against the said estate have been paid and discharged and said estate is now in a condition to be closed.

That the residue of said estate now remaining in her hands is fully set forth and described in schedule "A" hereunto annexed and made a part of this petition.

That the whole of said estate is separate property.

That said Albert S. Babcock died testate in the said County of Santa Clara on Sept. II,I887, leaving his surviving petitioner Stella A. Babcock, widow, and the following children.

Lillie V. Smith of full age.

Nettie J. Cross " " "

lena M. Babcock now Alden of full age.

Albert M. Babcock of full age

Stella J. Babcock of full age, and Roy E. Babcock a minor, all residing in San Jose, Santa Clara County, except lillie V. Smith, who resides in Sycamore Ill. and lena Babcock Alden wh o resides in Santa Clara, Santa Clara County, Cala.

That said Stella A. Babcock is entitled to all the residue of said estate in trust for the purposes mentioned in the will of said testator,

Whereas petitioner prays that the Admn. of said estate may be brought to a close and that she may be discharg-ed from her trust as said Executrix. That after due notice given and proceedings had, the estate remaining in her hands as aforesaid may be distributed to the said party antitled thereto as aforesaid to wit: to Stella A. Babcock in trust with full power--

to sell and convey the same, collect use or loan & otherwise employ the proceeds of any sales made by her and also to use and enjoy the rents and profits thereof for her own use so long as she remains unmarried and supports Roy E. Babcock during his minority or during his life time, should he die while a minor, when said estate is to be divided by said trustee one half to herself for her won use, and one half to the children above named, their heirs and assigns, share and share alike or that such other or further order may be made as is meet in the premises.

(Signed) Stella A. Babcock

Executrix.

Annexed to the foregoing petition os Schedule "A" which contains a description of the residue of the estate of said deceased to wit:

All those tracts of land situate in the City of San Jose, County of Santa Clara and known and described as lots I and 2 in Block 2, Range 8, South of the base line in said City.

Except a part of the North half of said lot 2, to wit: a strip of land 45 feet wide fronting on South 7th. Street by I37 I-2 feet deep on the South side of San Antonio Street.

Dec. I5 Order appointing Friday Dec, 2I, I888 day for the settlement of said Final Account and hearing upon said petition for Distribution and directing the Clerk to give notice thereof by causing notices to be posted in at least three public places in Santa Clara County at least five days before said day of settlement and hearing for distribution according to law, made entered and filed.

Pro. Rec. 32 P. 5I7.

" " Allidavit of H. E. Wilcox of posting on Dec. I5, I888 exact and true copies of the Notice of Time and Place appointed for the settlement of said Final Account and hearing upon said petition for distribution in three of the most public places in the County---

of Santa Clara (naming them)filed.

Dec.2I.

Decree establishing due and legal notice to Creditors made entered and filed.

Pro. Rec. P. 532.

" " Decree of settlement of Final Account and Distribution of estate made entered and filed.

Pro. Rec. 32,P. 533.

Recites (among other things.)

That the following persons are entitled to the residue of said estate to wit:

Stella A. Babcock is entitled to all of said estate in trust, as hereinafter set forth, except a parcel of land heretofore conveyed by her to John M. Harkins and to which he is entitled as such grantee as hereinafter described.

It is ordered , adjudged and decreed that the said final account of the Executrix be, and the same is hereby finall settled allowed and approved, and that the residue of said estate hereinafter described and any other property---

not now known or discovered which may bdlong to the said estate or in which the said estate may have any interest be a and the same is hereby distributed as follows:

All of said residue except a parcel 45 feet front on South Seventh Street by 137 1-2 feet along the San Antonio Street in the City of San Jose Cal., unto Stella A. Babcock with full power and authority to sell and convey the same, to collect use, loan or otherwise employ the money now in her hands and any means received from any sales of said estate, the same as said testator could do if he were living, in trust nevertheless for the following purposes,- the earnings rents and profits arising from said estate for the use and benefit of her, the said Stella A. Babcock so long as she remains unmarried and provides a homestead and maintains Roy E. Babcock until he shall arrive at the age of 21 years, or sooner dies when said Stella A. Babcock, Trustee is to---

See Est Pwr, 149 Cal 203-

87.

divide said estate, one half thereof to be retained by her as her own forever and the remaining one half to be divided between lillie V. Smith., Nettie J. Cross, lena M. Alden, Albert M. Babcock, Stella J. Babcock, and Roy E. BaBcock, share and share alike.

Said parcel of land above described as excepted is hereby distributed unto John M. Harkins.

The following is a particular description of the said residue of said estate referred to in the decree and of which distribution is now ordered as aforesaid.

The real estate hereby distributed to said Stella A. Babcock in trust aforesaid is described as follows, to wit:

All that tract of land situate in the City of San Jose, County of Santa Clara, designated and known as lots I and 2 in Block 2, Range 8, South of the base line, the same being bounded on the West by South Seventh Street, on the North by San Antonio Street, on the East by South--

Eighth Street, and on the South by the South line of said lots I and 2 Dxcepting and reserving therefrom a portion of the North half of said lot 2, herein distributed to John M. Harkins, and hereinafter described.

The parcel of land hereby distributed to John M. Harkins is situate in the City of San Jose &c. and described as follows: Beginning at the intersection of the South line of San Antonio Street, with the East line of South Seventh Street, thence Easterly along said South line of San Antonio Street I37 I-2 feet to the line between lots I and 2, in Block 2, Range 8, South of the base line, thence Southerly along said line, between said lots I and 2,45 feet to a point thence parallel and Westerly with the South line of San Antonio Street I37 I62 feet, to the East line of South Seventh Street, and thence Northerly along the East line of South Seventh Street 45 feet to the place of beginning, be the same---

more or less.

The same being a portion of the

North half of said lot 2.

(Signed) Frs. E. Spencer

Superior Judge

Dated Dec. 2I,I888 .

A certified copy of above decree was recorddd in the

County Recorders Office on Dec. 28,I888 in

liber"Q " of Miscellaneous P. II6.

T A X E S

STATE AND COUNTY AND CITY.

I888.89 PAID.

I889.90 Now a lien (STATE AND COUNTY)

No Judgment liens.

San Jose April Twelfth :
Eighteen Hundred and Eighty Nine :Edwards and Pitman
at Nine A. M. :Searchers of Records.

C O N T I N U A T I O N

OF

FOREGOING ABSTRACT

as to the

Interest remaining in Stella A. Babcock

Trustee.

T A X E S

STATE COUNTY AND CITY.

I889-90 Now a lien.

No Judgment liens.

San Jose, Cal., Sept. 2I, I889

at 9 O'clock

Pomeroy and Howes

Searchers of Records.

State Of Californma))
)s. s.
County of Santa Clara)

I, Willard C. Bailey, a Notary Public in and for the County of Santa Clara, and State of California do hereby certify that I have caused the fore going Copy of Abstract to be made and that I have carefully compared the same and that the same is a true and correct copy of the original abstract and of the whole and every part thereof.

In witness whereof I have hereunto set my hand and affixed my official seal the 24" day of September A. D. I894.

A B S T R A C T O F T I T L E

TO

All those parcels of land situate in the City of San Jose, County of Santa Clara, State of California, described as in the Deeds from C. P. Bailey to William Ross, herein set forth on pages 4 and 5 of this Abstract.

Subsequent to September 2nd. 1889.

Stella A. Babcock

Devisee in trust of the Estate of

Albert S. Babcock, deceased

TO

C. P. Bailey and

William Ross,

D E E D.

Dated Nov. I3, I889.

Cons. $7800.00

Recites: Whereas , the said Albert S, Babcock in and by his last will and testament, which was on October 2Ist. I887, duly admitted to probate in the Superior Court in the County of Santa Clara, and recorded in Book F. of Wills, page 52I, did give and bequeath to Stella A. Babcock, the property and estate, real and personal, of him, the said Albert S. Babcock, in trust for the purposes in last will expressed, with full power and authority to her, said devisee to sell and convey the same &c.

NOW THEREFORE, does grant, bargain, sell and convey unto the second party , their heirs and assigns forever, all that tract of land in the City of San Jose, County of Santa Clara, bounded as follows, to wit:

Beginning at a point in the Easterly line of Seventh Street, 45 feet South of the intersection of the South line of San Antonio Street, with the East line of Seventh Street; thence Easterly, parallel with the said South line of San Antonio Street to the West line of Eighth Street; thence Southerly along the West line of Eighth Street, 92 I-2 feet; thence Westerly and parallel with the said Southerly line of San Antonio Street to

the Easterly line of Seventh Street; thence Northerly along the said line of Seventh Street 92 I-2 feet to the place of beginning, being part oflots I and 2 Block 2, Range 8, South of the base line,City of San Jose, be the same more or less.

Also all the right title an d interst and estate which the said Albert S. Babcock had in his life time and at the time of his death in said premises, or which the estate of said testator may have acquired by operation of law or otherwise since his deceade and which the first partyhas there in by virtue of said last will and testament or otherwise of, in and to the same and every part thereof.

(Signed.) Stella A. Babcock,(Xeal).

Devisee of the estate of Albert S. Babcock, deceased,

A6KD. Nov. I3,I889.

By. Stella A. Babcock, (widow)" Devisee of the Estate of Albert S. Babcock,deceased"

Before Guy H. Salisbury, N. P.

Recorded (at 3:40 P.M.) Nov. I3,I889.

liber I23 of Deeds,Page II4.

N O T E :- An agreement to convey the above described property to C. P. Bailey and Wm. Ross dated September 28th.I889 and signed and acknowledged by Stella A. Bzbcock,was recorded September 28th.I889 in liber R of Miscellaneous Records page 233.

C. P. Bailey

TO

William Ross.

D E E D

Dated Nov.I3,I889.

Cons. $I0.00

Does grant, bargain, sell , convey and confirm unto the second party, his heirs and assigns forever, an undivided one half (I-2) interest in and to all that lot or parcel of land , situate in the City of San Jose, County of Santa Clara, described as follows:

The Southerly 32 I-2 feet of lot I, Block 2, Range 8, South of the base line, City of San Jose, the same being 32 I/2 feet front on Eight Street and I37 I/2 feet deep, together with the perpetual right of way over a road way I0 feet wide adjoining the said property conveyed,on the North.

ACKD. Nov. I3,I889.

Before Guy Salisbury,N. P.

Recorded (at 3.42 P.M.) Nov.I3,I889.

liber I2I of Deeds,Page 2I2.

14

C. P. Bailey

TO

William Ross.

D E E D

Dated March 24,I890.

Cons.$I0.00

Does remise, release and forever quit claim all of his undivided interest, unto party of the second part, his heirs and assigns, all that lot of land situate in the City of San Jose, County of Santa Clara, described as follows:

Beginning at a point in the Easterly line of Seventh Street 9I-I4 feet, South of the intersection of the South line of San Antonio Street, with the East line of Seventh Street; Thence Easterly and parallel with the South line of San Antonio Street I37 I/2 feet; thence Southerly parallel with Eighth Street 46 I/4 feet; thence Westerly parallel with San Antonio Street I37 I/2 feet to the East line of Seventh Street; thence Northerly and on the line of Seventh Street 46 I/4 feet to the place of beginning.

Being part of lot 2,Block 2, Range 8, South of the base line, City of San Jose.

ACKD. March 24,I890.

Before Willard C. Bailey N. P.

Recorded March 24,I890.

liber I26 of Deeds,Page 6I.

99.

William Ross,

TO

C. P. Bailey.

D E E D

Dated Oct. I2, I89I.

Cons. $3000.00

Grant, bargain, sell, convey and confirm unto the second party, his heirs and assigns forever, all that certain lot of land situate in the City of San Jose, County of Santa Clara, described as follows:

Beginning at a point in the Westerly line of Eighth Street 45 feet South of the intersection of the Southerly line of San Antonio Street with the Westerly line of Eighth Street; thence Westerly, parallel with the Southerly line of San Antonio Street I37 I/2 feet; thence Southerly, parallel with the Westerly line of Eight Street, 60 feet; thence Easterly parallel with the Southerly line of San Antonio Stre I37 I/2 feet to the Westerly line of Eighth Street; thence Northerly along the Westerly line of Eighth Street to the place of beginning .

Reserving therefrom the right of way over a strip of land 9 feet wide on the South side of said lot, previously deeded to Ross, being part of lot I, Block 2, Range 8, South of the base line, City of San Jose.

ACKD. Oct. I2, I89I.

Before Willard C. Bailey, N. P.

Recorded (at 9:45 A. M.) Oct I7, I89I

Book I40 of Deeds, Page 245.

Note:- Hrantees interest not searched.

100.

T A X E S

S T A T E C O U N T Y A N D C I T Y.

Fiscal Years.

I889-90)
)
To) PAID
)
I893-94)
)
I894-95) Now a lien.
)

NO J U D G E M E N T l I E N S.

The fore going abstract consisting of pages one to seven inclusive, made at San Jose, California, September Twenty-eighth, I894, at 9 o'clock A. M.

SAN JOSE ABSTRACT TITLE AND TRUST CO.

Manager.

C O N T I N U A T I O N

O F

T H E F O R E G O I N G A B S T R A C T

A S T O

Real property described in the mortgage, Wm. Ross to louise M. Powell. liber I23, Mortgages Page I23. Subsequent to September 28th., I894.

William Ross

TO

louise 1. Powell

M O R T G A G E

DATED Oct.2,I894

To secure the payment of $I000 in two years,with interest at I0% peranmum , payable semi annually or to compound. Privilege reserved of paying note on Oct.2d,I895

Mortgages to the Mortgagee, all that real property situate in the City of San Jose, County of Santa Clara, described as follows:

The Southerly 32 I/2 feet of lot numbered I,Block 2, Range 8,South of the base line in said City,the same being 32 I/2 feet front on Eighth Street and I37 I/2 feet in depth, together with the perpetual right of way over a roadway I0 feet wide adjoining the said property conveyed,on the North.

AcKD. Oct.2,I894

Before Wesley Pieper N. P.

Recorded Oct.2,I894.

Book I23 of ~~Deeds,~~ Mtgs. Page I58.

Satisfied in full on the margin of the record Aug 3.1895 by Louise H. Powell and duly attested by County Recorder

Entered by San Jose Abstract Co.

By Bowers

SEARCHER.

T A X E S

STATE, COUNTY AND CITY.

FISCAL YEARS

1894-95 PAID.

1895-96 Now a lien.

NO JUDGMENT LIENS.

The foregoing Continuation consisting of Pages 8 to 10 inclusive, made at SAN JOSE, CALIFORNIA, JULY Twenty-fifth, 1895 at Nine o'clock A. M.

SAN JOSE ABSTRACT COMPANY.

MANAGER.

Continuation
— of —
The Foregoing Abstract.

AS TO

The interest of Wm. Ross.

William Ross and
Mary P. Ross, his wife, and
Stella A. Babcock
widow of A. S. Babcock, deceased,
— TO —
Rosilla A. Cropley

D E E D.

Dated July 25,1895 .

Cons: $1800.

Grant, bargain, sell, convey and confirm unto thesaid party of the second part and to her heirs and assigns forever, all that certain parcel of land in the City of San Jose, County of Santa Clara, bounded and described as follows, to wit:-

The Southerly 32-1/2 feet of Lot Numbered 1 in Block Numbered 2 Range 8 South of the base line in said City of San Jose, the same being 32-1/2 feet front on Eighth Street by a uniform depth of 137-1/2 feet. Together with the perpetual right of way over a roadway 10 feet wide adjoining the said property conveyed on the North.

Wm. Ross (SEAL)
Mary P. Ross (SEAL)
S. A. Babcock (SEAL)

Witness to signature of Stella A. Babcock,
Nettie Mullen.

Acknd. August 1,1895.

(by William Ross and Mary P. Ross, his wife)
Before Wesley Pieper, N. P.

SAN JOSE ABSTRACT COMPANY
SAN JOSE, CAL.

Execution Proven August 2,1895.

(as to Stella A. Babcock by oath of Nettie Mullen, subscribing witness,

Before Wesley Pieper, N. P.

Recorded August 2,1895.

Book 182 Deeds, Page 146.

T A X E S.

S T A T E C O U N T Y A N D C I T Y.

Fiscal Years.

1895-1896)
)
— TO — ; PAID.
)
1902-1903)

1903-1904 Now a Lien.

N O J U D G M E N T L I E N S.

The foregoing CONTINUATION consisting of pages 105 to 108 inclusive, made at SAN JOSE, CALIFORNIA, JUNE NINTEENTH, 1903 at Nine o'clock A. M.

SAN JOSE ABSTRACT COMPANY.

By J C Edwards

Manager.

Continuation of the Foregoing Abstract

AS TO THE

Property described in Liber 269 of Deeds page 270, William Ross et ux to B. F. Butterfield, first hereinafter set forth.

Subsequent to June 19, 1903, at Nine o'clock A. M.

William Ross and

Mary P. Ross, his wife

— To —

B. F. Butterfield.

D E E D

Dated June 19, 1903.

Cons. $10.

Doth grant, bargain, sell, convey and confirm unto the said party of the second part, and to his heirs and assigns forever, all that certain piece or parcel of land, lying and being in the City of San Jose, County of Santa Clara, State of California, bounded and described as follows, to wit:-

Beginning at a point in the Easterly line of Seventh Street 91¼ feet South of the intersection of the South line of San Antonio Street with the East line of Seventh Street, thence Easterly and parallel with the South line of San Antonio Street 137½ feet; thence Southerly parallel with Eighth Street 46¼ feet; thence Westerly parallel with San Antonio Street 137½ feet to the East line of Seventh Street; thence Northerly and along the Easterly line of Seventh Street 46¼ feet to the place of beginning, and being part of Lot 2 Block 2 Range 8 South of the base line.

Acknd. June 20, 1903.

Before Wesley Pieper, N.P.

Recorded June 20, 1903.

Book 269 Deeds page 270.

SAN JOSE ABSTRACT COMPANY
SAN JOSE, CAL.

B. F. Butterfield, and
Emily Butterfield, his wife.
of the first part
Will S. Clayton
of the second part.
Lena H. Krafft
of the third part.

DEED OF TRUST.

Dated June 19, 1903.

To secure the payment of $300.00 unto third party, and interest thereon, according to the terms of a promissory note of even date herewith.

Doth grant, bargain, sell, convey and confirm unto the said party of the second part, his successors or assigns, the following described real property situate in the City of San Jose, County of Santa Clara, State of California, to wit:-

(Same as in Liber 269 of Deeds page 270, William Ross, et ux to B. F. Butterfield)

Upon trust, to be reconveyed unto said B. F. Butterfield, his heirs and assigns upon repayment of said sum so borrowed and interest thereon.

Acknd. June 20, 1903.

Before Wesley Pieper, N.P.

Recorded June 20, 1903.

Book 5 Trust Deeds page 269.

Will S. Clayton, as Trustee,

— To —

B. F. Butterfield.

D E E D

Dated May 18, 1904.

Whereas, the indebtedness secured to be paid by the Deed of Trust executed by B. F. Butterfield and Emily Butterfield, his wife to me Will S. Clayton as trustee, and Lena H. Krafft, party of the third part, and recorded in the County Recorder's Office of the County of Santa Clara, State of California, in Book 5 of Trust Deeds, at pages 269 et seq. has been fully paid.

Do grant, remise, release and reconvey to B. F. Butterfield, his heirs and assigns, without any warranty, all the estate and interest derived to me by or through said Deed of Trust, in the lands situate in the City of San Jose, County of Santa Clara, State of California, and therein described, Special reference being hereby made to said Deed of Trust, and the record thereof for a particular description of said lands.

Acknd. May 18, 1904.

Before Wesley Pieper, N.P.

Recorded May 24, 1904.

Book 280 Deeds page 97.

TAXES

STATE COUNTY AND CITY

Fiscal Years.

1903 - 1904)
)
to : Paid
)
1908 - 1909)

1909 - 1910 Lien Attached.

NO JUDGMENT LIENS

The foregoing CONTINUATION consisting of pages 109 to 113 inclusive made at SAN JOSE, CALIFORNIA, AUGUST NINETEENTH, 1909, at Nine o'clock A. M.

SAN JOSE ABSTRACT COMPANY

By J C Edwards

Manager.

Continuation of the Foregoing Abstract
as to
The Same Property

NOTHING FURTHER.

TAXES.

STATE COUNTY AND CITY.

Fiscal Years

1909-1910 Paid.

1910-1911 Now a Lien.

NO JUDGMENT LIENS.

The foregoing CONTINUATION consisting of pages 114 and 115 made at SAN JOSE, CALIFORNIA, JUNE SEVENTH 1910 at Nine o'clock A.M.

SAN JOSE ABSTRACT COMPANY.

By J. M. Peterson

Manager.

Continuation of the Foregoing Abstract
as to
The Same Property

B.F.Butterfield and
Emily Butterfield, his wife
of first part,
W.S.Clayton,
of second part
Ethel Clayton,
of third part

D E E D O F T R U S T

Dated June 7, 1910

To secure to third party, the payment of a promissory note of even date herewith, for the sum of Five hundred ($500) Dollars, in one year, with interest at the rate and times therein specified; also the payment of additional sums.

Conveys unto the second party, his successors or assigns the real property situate in the City of San Jose, County of Santa Clara, State of California, described as follows:-

(Same as in Liber 269 of Deeds, Page 270 Ross to Butterfield)

Upon trust to reconvey all the estate in the premises to B.F.Butterfield in case payment be made of all sums due third party, and if default be made in anysuch payment, second party is empowered to sell the above granted premises at public auction, after giving due public notice.

Acknd June 8, 1910

Before W.B.Croop, N.P.

Recorded June 10, 1910.

Book 33 of Trust Deeds, Page 509

SAN JOSE ABSTRACT COMPANY
SAN JOSE, CAL.

W.S.Clayton, Trustee

TO

B.F.Butterfield

RECONVEYANCE

Dated April, 11, 1911.

Recites, that the indebtedness secured to be paid by the Deed of Trust executed by B.F.Butterfield and Emily Butterfield his wife parties of the first part to W.S.Clayton, as Trustee, party of the second part, and Ethel Clayton, party of the third part and recorded in the County Recorder's Office of the County of Santa Clara, in Book 33 of Trust Deeds, at pages 509 et seq, dated June 7, 1910 for $500 has been fully paid.

Do grant, remise, release and reconvey unto B.F. Butterfield, his heirs and assigns without any warranty all the estate and interest derived to me by or through said Deed of Trust in the lands situate in the City of San Jose, County of Santa Clara, and therein described.

Acknd April 18, 1911

Before W.Allen Hope, N.P.

Recorded April 18, 1911

Book 371 Deeds, Page 54.

TAXES

STATE, COUNTY AND CITY

Fiscal Years

1910-1911 Paid

1911-1912 Now a Lien.

NO JUDGMENT LIENS

The foregoing CONTINUATION consisting of pages 116 to 119 inclusive made at SAN JOSE, CALIFORNIA, MAY EIGHTEENTH, 1911 at Nine o'clock A.M.

SAN JOSE ABSTRACT COMPANY.

By J. C. Edwards

Manager.